

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

Chambers of  
**STEVEN C. MANNION**  
United States Magistrate Judge

Martin Luther King Jr, Federal Bldg.  
& U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07102  
(973) 645-3827

January 17, 2018

**LETTER ORDER-OPINION**

**Re: [D.E. 157]  
Love v. New Jersey Department of Corrections *et al.*  
Civil Action No. 15-cv-4404 (SDW) (SCM)**

Dear Litigants:

Before this Court is Plaintiff Lemont Love's ("Mr. Love") informal motion for leave to serve additional interrogatories.<sup>1</sup> Defendant Corrections Officers Gerald Doyle, Ruben Morales, and Robert Wasik, and Administrator Patrick Nogan ("Mr. Nogan") (collectively, "State Defendants") oppose the motion.<sup>2</sup> The Court has reviewed the parties' respective submissions and decides the issues without oral argument. For the reasons set forth herein, Mr. Love's informal motion is **denied**.

Mr. Love seeks to serve additional interrogatories on Mr. Nogan.<sup>3</sup> He posits that the additional interrogatories are required because Mr. Nogan allegedly came to his cell, upon learning of this lawsuit, ". . . and retaliated" against Mr. Love.<sup>4</sup> Mr. Love's application to add these new

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<sup>1</sup> (D.E. 157, Pl.'s Motion).

<sup>2</sup> (D.E. 166, Defs.' Opp.).

<sup>3</sup> (D.E. 157, Pl.'s Motion)

<sup>4</sup> (D.E. 157-1, Pl.'s Br., at 1-2)

allegations to this case, however, was denied,<sup>5</sup> and Judge Wigenton affirmed this Court's order on November 13, 2017, finding it "[in]appropriate to supplement the First Amended Complaint with these new causes of action."<sup>6</sup>

The sole purpose of discovery is to add flesh for trial on the parties' respective claims and defenses in the given action. Discovery is not a fishing expedition for potential claims.<sup>7</sup> The requested additional interrogatories are not relevant to this litigation and therefore the motion is **denied**. The Clerk of Court will mail a copy of this Order to Mr. Love.

**IT IS SO ORDERED.**



Honorable Steve Mannion, U.S.M.J.  
United States District Court,  
for the District of New Jersey  
phone: 973-645-3827

1/17/2018 9:39:43 AM

Original: Clerk of the Court  
Hon. Susan D. Wigenton, U.S.D.J.  
cc: All parties  
File

Mr. Lemont Love  
670637/331321C  
East Jersey State Prison  
Lockbag R  
Rahway, NJ 07065

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<sup>5</sup> (D.E. 144, Opinion)

<sup>6</sup> (D.E. 159, Opinion, at 3).

<sup>7</sup> *Smith v. Lyons, Doughty & Velduius, P.C.*, 2008 WL 2885887, at \*5 (D.N.J. July 23, 2008).